

**OFFICIAL FILE**

**ILLINOIS COMMERCE COMMISSION**

**5LINX**  
live a better life

CP 454

**ORIGINAL**

November 8, 2016

Chief Clerk's Office  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, IL 62701

RECEIVED  
NOV 14 2016  
ILLINOIS COMMERCE COMMISSION  
CHIEF CLERK'S OFFICE

Dear Sir or Madam,

Attached please find our ABC Annual Recertification for ICC Docket 11-0026.

I have attached the original and an electronic copy has been sent to Christy Pound at [cpound@iccillinois.gov](mailto:cpound@iccillinois.gov) as requested.

If you have any questions please contact me at the telephone number below.

Sincerely,



Jane Mulvehill

Manager of Taxation

Tele: (585) 321-5942

Email: [jmulvehill@5linx.com](mailto:jmulvehill@5linx.com)

# ABC Report Form: To be submitted annually by March 31, 2016

## ABC Annual Recertification under 83 IL Adm. Code 454

### Section 454.110 Reporting Requirements

a) Each licensee shall submit a report identified with the name of the ABC as it appears in the most recent Commission order granting the ABC a license.

| Licensee Name: 5LINX Enterprises, Inc.

| ICC Docket # for current certification: 11-0026

b) The annual report required by subsection (a) of this Section shall list **each** RES (Retail Electric Supplier) the licensee had any contractual relationship with during the prior calendar year, and shall contain the following information (**NOTE: #2 & #3 below should include customers for which RES paid the licensee's fee, and #4 & #5 should include customers for which customer paid the licensee's fee. Do not count the same customer(s) twice. If you need additional space, please attach additional sheets.**):

| RES: Direct Energy

1) The type of contractual relationship (such as subcontractor, affiliate, commission compensated):

| Referral Program. Commission Compensated

2) The number of non-residential customers to which the licensee sold retail electric supply on behalf of RES:

| 261

3) The number of residential customers to whom the licensee sold retail electric supply on behalf of RES:

| 8,734

4) The number of non-residential customers for which the licensee procured retail electric service on behalf of the customer:

5) The number of residential customers for which the licensee procured retail electric service on behalf of the customer:

c) Do not include customer identifying information.

d) A public redacted version of the verified report may be submitted to the Commission along with a proprietary version. If submitting a public redacted version of the report, the public redacted version must be separate from the proprietary version and must be under separate seal.

## ABC Report Form: To be submitted annually by March 31, 2016

The public redacted version may redact from the verified report the name or names of every certified electricity supplier contained in the report to protect against disclosure of competitively sensitive market share information. The information shall be afforded proprietary treatment for two years after the date of the filing of the verified report.

### **e) Section 454.80 Financial Licensing Requirements**

**ABC must include a copy of their current license or permit bond, a renewal certificate or a receipt showing the bond was renewed as part of this annual recertification report.** In the event that a license or permit bond was modified from the previous license or permit bond filed with the Chief Clerk of the Commission, the ABC shall file an additional copy of the modified bond with the Chief Clerk of the Commission.

In the event that a license or permit bond is cancelled, expires or is drawn upon, the ARES must execute and maintain an additional or replacement bond such that the cumulative value of all outstanding bonds never falls below the amount required in subsection (a) of this Section. The ABC must file a copy of the additional or replacement bond with the Chief Clerk of the Commission.

### **f) Sections 454.60 Managerial Licensing Requirements and 454.70 Technical Licensing Requirements**

The licensee shall file with its annual verified report a verified statement of any changes to the original licensure qualifications and notice of continuing compliance with all requirements.

| Licensee, 5LINX Enterprises, Inc.

\_\_\_\_\_, reports the following changes to the original licensure qualifications as provided in its Application for Licensure of Agents, Brokers, and Consultants under Section 16-115C of the Public Utilities Act.

If there are changes regarding personnel whom the Licensee uses to meet the Managerial Licensing Requirements, please provide an exhibit containing occupational background information on the persons who are currently being used to satisfy the requirements of Section 454.60, as well as an updated organizational chart indicating their positions.

If there are changes regarding personnel whom the Licensee uses to meet the Technical Licensing Requirements, please provide an exhibit containing occupational background information on the persons who are currently being used to satisfy the requirements of Section 454.70.

**If there are no changes to report, state "none":**

| None

ABC Report Form: To be submitted annually by March 31, 2016

Licensee, 5LINX Enterprises, Inc.

, will remain in continuing compliance with all requirements of the aforementioned Public Utilities Act. I certify that all the information provided in this annual report is true, correct, and complete to the best of my knowledge, information, and belief.

Signature

Name

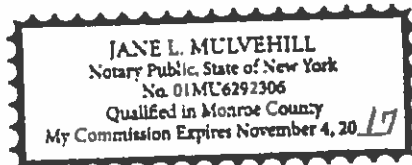
Position Held

Contact Phone #

Subscribed and sworn before me

This 8<sup>th</sup> day of November 2016.

Jane L. Mulvehill  
Notary Public



**ABC Report Form: To be submitted annually by March 31, 2016**

**The signed and notarized annual report must be sent to:**

Chief Clerk's Office  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, IL 62701

**Additionally, a copy (electronic or paper) of the signed and notarized annual report must be sent to:**

Christy Pound  
Office of Retail Market Development  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, IL 62701  
[cpound@icc.illinois.gov](mailto:cpound@icc.illinois.gov).

License or Permit Bond

License or Permit Bond No 41257920

Effective Date: December 10, 2012

KNOW ALL MEN BY THESE PRESENTS, That we, **5Linx Enterprises, Inc.** as Principal, and **Platte River Insurance Company** a Nebraska Corporation, and authorized to do business in Illinois, as Surety, are held and firmly bound unto THE PEOPLE OF THE STATE OF ILLINOIS as Obligee, in the sum of FIVE THOUSAND AND NO/100 Dollars (\$5,000.00), for which sum, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, by these presents.

THE CONDITIONS OF THIS OBLIGATION ARE SUCH, That WHEREAS, the Principal has been or is about to be granted a license or permit to do business to operate as an ABC (Agent, Broker, or Consultant) under 220 ILCS 5/16-115C and is required to execute this bond under 83 Illinois Administrative Code Part 454.80 by the Obligee.

NOW, Therefore, if the Principal fully and faithfully perform all duties and obligations of the Principal as an ABC, then this obligation to be void; otherwise to remain in full force and effect.

This bond may be terminated as to future acts of the Principal upon thirty (30) days written notice by the Surety; said notice to be sent to 527 East Capitol Avenue, Springfield, Illinois 62701, of the aforesaid State of Illinois, by certified mail.

Dated this 1st day of November, 2012

5Linx Enterprises, Inc. Principal

By: \_\_\_\_\_  
Name & Title

Platte River Insurance Company Surety

By: Ronald Kaihoi  
Ronald Kaihoi, Attorney-in-Fact

## ACKNOWLEDGMENT OF PRINCIPAL (Individual)

State of \_\_\_\_\_ }  
County of \_\_\_\_\_ }

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_, before me personally comes \_\_\_\_\_, to me known and known to me to be the person who is described in and executed the foregoing instrument, and acknowledges to me that he/she executed the same.

\_\_\_\_\_  
Notary Public

## ACKNOWLEDGMENT OF PRINCIPAL (Partnership)

State of \_\_\_\_\_ }  
County of \_\_\_\_\_ }

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_, before me personally come(s) \_\_\_\_\_, a member of the co-partnership of \_\_\_\_\_, to me known and known to me to be the person who is described in and executed the foregoing instrument, and acknowledges to me that he/she executed the same as the act and deed of the said co-partnership.

\_\_\_\_\_  
Notary Public

## ACKNOWLEDGMENT OF PRINCIPAL (Corporation/LLC)

State of \_\_\_\_\_ }  
County of \_\_\_\_\_ }

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_, before me personally come(s) \_\_\_\_\_, to me known, who being duly sworn, deposes and says that he/she resides in the City of \_\_\_\_\_ that he/she is the \_\_\_\_\_ of the \_\_\_\_\_, the corporation described in and which executed the foregoing instrument, and that he/she signed his/her name thereto by like order.

\_\_\_\_\_  
Notary Public

PLATTE RIVER INSURANCE COMPANY  
POWER OF ATTORNEY

41260956

Bond No. 41257920

KNOW ALL MEN BY THESE PRESENTS, That the PLATTE RIVER INSURANCE COMPANY, a corporation of the State of Nebraska, having its principal offices in the City of Middleton, Wisconsin, does make, constitute and appoint

JACK ANDERSON; RONALD KAIHOI

its true and lawful Attorney(s)-in-fact, to make, execute, seal and deliver for and on its behalf, as surety, and as its act and deed, any and all bonds, undertakings and contracts of suretyship, provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed in amount the sum of

ALL WRITTEN INSTRUMENTS IN AN AMOUNT NOT TO EXCEED: \$20,000,000.00

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of PLATTE RIVER INSURANCE COMPANY at a meeting duly called and held on the 8th day of January, 2002.

"RESOLVED, that the President, and Vice-President, the Secretary or Treasurer, acting individually or otherwise, be and they hereby are granted the power and authorization to appoint by a Power of Attorney for the purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, one or more vice-presidents, assistant secretaries and attorney(s)-in-fact, each appointee to have the powers and duties usual to such offices to the business of the Corporation; the signature of such officers and the seal of the Corporation may be affixed to such power of attorney or to any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Corporation in the future with respect to any bond or undertaking or other writing obligatory in the nature thereof to which it is attached. Any such appointment may be revoked, for cause, or without cause, by any of said officers, at any time."

IN WITNESS WHEREOF, the PLATTE RIVER INSURANCE COMPANY has caused these presents to be signed by its officer undersigned and its corporate seal to be hereto affixed duly attested, this 2nd day of May, 2011.

Attest:

*Richard W. Allen III*  
Richard W. Allen III  
President  
Surety & Fidelity Operations



PLATTE RIVER INSURANCE COMPANY

*David F. Pauly*  
David F. Pauly  
CEO & President

STATE OF WISCONSIN }  
COUNTY OF DANE } S.S.:

On the 2nd day of May, 2011 before me personally came David F. Pauly, to me known, who being by me duly sworn, did depose and say: that he resides in the County of Dane, State of Wisconsin; that he is President of PLATTE RIVER INSURANCE COMPANY, the corporation described herein and which executed the above instrument; that he knows the seal of the said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.



CERTIFICATE

*Daniel W. Krueger*

Daniel W. Krueger  
Notary Public, Dane Co., WI  
My Commission Is Permanent

STATE OF WISCONSIN }  
COUNTY OF DANE } S.S.:

I, the undersigned, duly elected to the office stated below, now the incumbent in PLATTE RIVER INSURANCE COMPANY, a Nebraska Corporation, authorized to make this certificate, DO HEREBY CERTIFY that the foregoing attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the Resolution of the Board of Directors, set forth in the Power of Attorney is now in force.

Signed and sealed at the City of Middleton, State of Wisconsin this 1st day of November, 2012



*Alan S. Ogilvie*  
Alan S. Ogilvie  
Secretary

THIS DOCUMENT IS NOT VALID UNLESS PRINTED ON GREEN SHADED BACKGROUND WITH A RED SERIAL NUMBER IN THE UPPER RIGHT HAND CORNER. IF YOU HAVE ANY QUESTIONS CONCERNING THE AUTHENTICITY OF THIS DOCUMENT CALL 800-475-4450.

PR-POA (5-11)



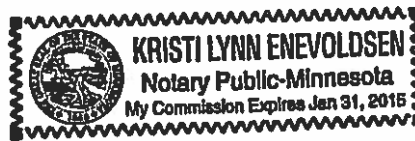
# ACKNOWLEDGEMENT OF SURETY

STATE OF MINNESOTA  
COUNTY OF CHIPPEWA }

On this 1st day of November, 2012, before me, a Notary Public within and for said County, personally appeared **Ronald Kaihoi** to me personally known, who being by me duly sworn he/she did say that he/she is the attorney-in-fact of **Platte River Insurance Company**, the corporation named in the foregoing instrument, and the seal affixed to said instrument is the corporation seal of said corporation, and sealed on behalf of said corporation by authority of its Board of Directors and said **Ronald Kaihoi** acknowledged said instrument to be the free act and deed of said corporation.

Kristi Lynn Enevoldsen

**NOTARY PUBLIC**  
My Commission Expires 1/31/15



**MGM ASSOCIATES OF ROCHESTER**  
 1745 PENFIELD ROAD  
 PENFIELD, NY 14526-9930  
 Phone: 585-381-7008 585-381-6173

<b>INVOICE NO. 16206</b>		Page 1
ACCOUNT NO.	CSR	DATE
5LI000C	JO	10/20/2016
Miscellaneous Bonds		
POLICY #		
41257920		
COMPANY		
Platte River Insurance Co		
START DATE	EXPIRATION	BALANCE DUE ON
12/10/2015	12/10/2016	11/14/2016

**5 LINX ENTERPRISES, INC.**  
**MICHAEL BARON**  
 ONE CLINTON AVE SOUTH STE 800  
 ROCHESTER, NY 14623

Item #	Due Date	Type	Description	Amount
339559	11/14/16	REN BOND	GOLDLEAF BOND- ILLINOIS	\$950.00
339560	11/14/16	CFE BOND	COMPANY FEE	\$200.00
339561	11/14/16	CFE BOND	COMPANY FEE	\$200.00
339562	11/14/16	AFE BOND	AGENCY FEE	\$100.00
Invoice Balance:				\$1,450.00

Please make check payable to MGM Associates. Please have check in our office no later than 11/14/16. Thank you!

PLEASE RETURN ONE COPY WITH YOUR REMITTANCE